

IN THE UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:

JAMES WHITFIELD LIVINGSTON  
148 STONE CREST DR.  
PO BOX 323  
NASHVILLE, TN 37209

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CHAPTER: 13  
CASE NO.: 20-03559  
JUDGE: HARRISON

Debtor.

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**THE DEADLINE FOR FILING A TIMELY RESPONSE IS: November 18, 2020.**

**IF A RESPONSE IS TIMELY FILED, THE HEARING WILL BE: November 25, 2020 at 8:30 a.m. by AT&T conference line number 1-888-363-4749, Access Code 6926390#.**

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**NOTICE OF MOTION TO DETERMINE VALUE OF COLLATERAL**

The Debtor has asked the Court for the following relief: To Determine Value of Collateral.

**YOUR RIGHTS MAY BE AFFECTED.** If you do not want the court to grant the attached motion by entering the attached order, or if you want the court to consider your views on the motion, then on or before the response date stated above, you or your attorney must:

1. File with the court your response or objection explaining your position. **PLEASE NOTE: THE BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF TENNESSEE REQUIRES ELECTRONIC FILING. ANY RESPONSE OR OBJECTION YOU WISH TO FILE MUST BE SUBMITTED ELECTRONICALLY. TO FILE ELECTRONICALLY, YOU OR YOUR ATTORNEY MUST GO TO THE COURT WEBSITE AND FOLLOW THE INSTRUCTIONS AT: <https://ecf.tnmb.uscourts.gov>.**

If you need assistance with Electronic Filing you may call the Bankruptcy Court at (615) 736-5584. You may also visit the Bankruptcy Court in person at: US Bankruptcy Court, 701 Broadway, 1<sup>st</sup> Floor, Nashville, TN (Monday - Friday, 8:00 A.M. - 4:00 P.M.).

2. Your response must state that the deadline for filing responses, the date of the scheduled hearing and the motion to which you are responding.

If a response is filed before the deadline stated above, the hearing will be held at the time and place indicated above. **THERE WILL BE NO FURTHER NOTICE OF THE HEARING DATE.** You may check whether a timely response has been filed by calling the Clerk's office at (615) 736-5584 or viewing the case on the Court's website at [www.tnmb.uscourts.gov](http://www.tnmb.uscourts.gov).

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Date: **October 28, 2020**

Signature: **/S/ STEVEN L. LEFKOVITZ**  
Steven L. Lefkovitz, No. 5953  
Attorney for Debtor  
618 Church Street, Suite 410  
Nashville, Tennessee 37219  
Phone: (615) 256-8300  
Fax: (615) 255-4516  
Email: [slefkovitz@lefkovitz.com](mailto:slefkovitz@lefkovitz.com)

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**MOTION TO DETERMINE VALUE OF COLLATERAL**

Comes the Debtor, through counsel, and respectfully moves this Honorable Court to determine the value of collateral under 11 U.S.C. § 506 as follows:

1. Deere & Co., d/b/a John Deere Financial, filed a claim in Debtor's case on September 16, 2020 (Court Claim #10) for \$8,758.90 secured with a compact track loader.
2. The compact track loader was purchased September 25, 2017, and Deere & Company filed a UCC Financing Statement with the Tennessee Secretary of State.
3. The Debtor moves to place a value of the compact track loader at \$5,000.00 on the secured claim of Deere & Co., (Court Claim #10), with monthly payments of \$91.00 and 3.25% interest.

WHEREFORE, the Debtor prays that the above-sought relief be granted, and for such other and further relief as is just.

**Respectfully submitted,**

**LEFKOVITZ & LEFKOVITZ, PLLC**  
**/S/ STEVEN L. LEFKOVITZ**

Steven L. Lefkovitz, No. 5953  
Attorney for Debtor  
618 Church Street, Suite 410  
Nashville, Tennessee 37219  
Phone: (615) 256-8300  
Fax: (615) 255-4516  
Email: [slefkovitz@lefkovitz.com](mailto:slefkovitz@lefkovitz.com)

**CERTIFICATE OF SERVICE**

I certify that on this 28<sup>th</sup> day of October, 2020, I served a copy of the foregoing in the following manner:

***Email by Electronic Case Noticing to:***

Acting Asst. U.S. Trustee  
Henry E. Hildebrand, III, Chapter 13 Trustee

***By USPS First Class Mail to the debtor at the above-referenced address and to:***

Deere & Co.  
PO Box 6600  
Johnston, IA 50131

Deere & Co.  
6400 NW 86<sup>th</sup> St.  
Johnston, IA 50131

I have mailed 3 notices \$3.00

**/S/ STEVEN L. LEFKOVITZ**  
Steven L. Lefkovitz